

1 **CITY OF SEABROOK, TEXAS**
2 **ORDINANCE NO. 2020-07**
3 **ORDERING A SPECIAL CITY CHARTER AMENDMENT ELECTION**
4 **TO BE HELD ON MAY 2, 2020**
5

6 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK, CALLING
7 AND ESTABLISHING PROCEDURES FOR A SPECIAL ELECTION, TO BE HELD ON
8 MAY 2, 2020, TO CONSIDER NINETEEN (19) CHARTER AMENDMENTS
9 RECOMMENDED BY THE SEABROOK CHARTER REVIEW COMMISSION AND
10 DETERMINED FOR SUBMISSION BY CITY COUNCIL; AND MAKING OTHER
11 PROVISIONS RELATED TO THESE ELECTIONS.

12 * * *

13 **WHEREAS**, in accordance with the laws of the State of Texas, on the 5th day of May,
14 2020, a Special Election shall be held to vote for or against nineteen (19) charter amendment
15 propositions recommended by the Seabrook Charter Review Commission ("Commission") in its
16 final report submitted at the October 1, 2019 City Council meeting; and
17

18 **WHEREAS**, the Seabrook City Council has reviewed the recommendations of the
19 Commission and has determined that the nineteen (19) charter propositions, as referenced in the
20 attached Exhibit A, incorporated by reference herein, should be submitted to the voters of the
21 City of Seabrook in accordance with Texas Local Government Code, Section 9.004; and

22 **WHEREAS**, the Texas Election Code and the Seabrook City Charter establish the
23 procedures and time period for Special Elections; and
24

25 **WHEREAS**, the Seabrook City Council wishes to proceed with the ordering of the
26 Special Election and the City Council has determined that holding such election is in the public
27 interest; and

28 **WHEREAS**, the laws of the State of Texas further provide that the Election Code
29 (Code) of the State of Texas is applicable to all municipal elections and, in order to comply with
30 said Code, an ordinance should be passed establishing the procedures to be followed and in
31 designating the voting place for the May 2, 2020 Special Election.

32 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
33 **CITY OF SEABROOK, STATE OF TEXAS:**

34 **SECTION 1. DATE, TIME AND PLACE OF ELECTIONS ESTABLISHED.**
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36 The Special Election shall be held on the first floor of Seabrook City Hall, 1700 First
37 Street, Seabrook, Texas on May 2, 2020 from 7:00 a.m. until 7:00 p.m. and the entire City shall
38 constitute one election precinct for said elections. The City Council finds that the election herein
39 ordered has been ordered not later than the 78th day before the election in accordance with the
40 Texas Election Code Section 3.005(c) (2).
41

In the event the Mayor of the City (the “Mayor”) shall find that the Early Voting or Election Day polling place, hereby established and designated, shall become unavailable or unsuitable for use at the Special Election, the Mayor is hereby authorized to designate substitute polling places as he deems appropriate.

SECTION 2. BALLOTS AND PROPOSITIONS.

The City Secretary and Hart Intercivic are hereby authorized and directed to prepare the ballot for the Special Election in accordance with the provisions of the Texas Election Code. The ballot to be used in the Special Election on May 2, 2020 shall have printed thereon the propositions referenced on Exhibit A to this Ordinance, as they will appear, which the City Council determines constitute a fair portrayal of the chief features of the proposed charter amendments, in words of plain meaning, so that it can be understood by persons entitled to vote, directing them to the charter amendment so that they can discern its identity and distinguish it from other propositions on the ballot pursuant to Texas Election Code § 52.072.

SECTION 3. VOTING SYSTEM

The City has purchased voting and tabulation equipment from Hart Intercivic, for the preparation of electronic and mail ballots, and for training. The City shall use the Hart Intercivic DRE voting system which has been adopted pursuant to Code Section 123.001 and it shall be used for early voting by personal appearance and regular voting on Election Day.

Paper ballots shall be used for voting by mail.

SECTION 4. EARLY VOTING.

The City Secretary is the Early Voting Clerk and shall conduct early voting in accordance with the Election Code of this State and the Charter and Ordinances of the City of Seabrook. As Early Voting Clerk, the City Secretary orders the hours for Saturday early voting in accordance with the Texas Election Code, Section 85.006 as indicated below.

The City Secretary shall appoint Stephanie Martinez to serve as Deputy Early Voting Clerk. The City Secretary may appoint up to four additional Deputy Early Voting Clerks if needed.

Early voting by personal appearance shall be held in Seabrook City Hall, 1700 First Street, Seabrook, Texas and shall begin on Monday, April 20, 2020 and end on Tuesday, April 28, 2020 as follows:

Monday, April 20 – Wednesday, April 22	7:30 a.m. until 5:00 p.m.
Thursday, April 23	7:30 a.m. until 7:30 p.m.
Friday, April 24	8:00 a.m. until 5:00 p.m.
Saturday, April 25	9:00 a.m. until 11:00 a.m.
Sunday, April 26	NO EARLY VOTING
Monday, April 27	7:30 a.m. until 5:00 p.m.
Tuesday, April 28	7:00 a.m. until 7:00 p.m.

87 **SECTION 5. ELECTION JUDGES AND CLERKS.**
88

89 The City Council appoints Mary Goeckler as the Election Judge and Sue Harral as the
90 Alternate Judge. The Election Judge shall appoint the necessary clerks to assist which shall not
91 exceed six (6) clerks.
92

93 The rate of pay shall be \$14.00 per hour for Election Judges and \$12.00 per hour for
94 Election Clerks.
95

96 **SECTION 6. TABULATION OF BALLOTS.**
97

98 The City Council appoints the City Secretary as Presiding Judge and Manager of the
99 Counting Station.
100

101 The City Council appoints Stephanie Martinez as Tabulation Supervisor and Pat Patel as
102 Alternate Tabulation Supervisor, who shall be in charge of the operation of the electronic
103 tabulation equipment.
104

105 Early votes shall be counted by an Early Balloting Board, in accordance with the Texas
106 Election Code. The appointed Presiding Judge or Alternate Judge at the polling place shall serve
107 as the Presiding Judge of the Early Balloting Board with two (2) clerks serving at the polling
108 place making up the other members of the board.
109

110 **SECTION 7. CANVASS OF THE SPECIAL ELECTION.**
111

112 City Council, as the canvassing authority of the Special Election, shall canvass the
113 returns at its scheduled special meeting to be held on May 12, 2020 at 6:00 p.m. At the
114 completion of the canvass, the Mayor shall deliver the returns and tally lists used in the canvass
115 to the City Secretary; and the City Secretary shall preserve them for a period in accordance with
116 law.
117

118 **SECTION 8. NOTIFICATION OF ELECTION AND RETURNS.**
119

120 The Mayor shall give notice of the Special Elections in accordance with the terms and
121 provisions of the Election Code and the Seabrook Charter and the Mayor shall issue all necessary
122 orders and writs for said election and returns of said election. A copy of the Notice of Election is
123 attached and made a part of this ordinance as shown on Exhibit B.
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125
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128 ***THIS SPACE INTENTIONALLY LEFT BLANK***
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SECTION 9. NOTICE.

It is further found and determined that in accordance with the order of this governing body the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and such notice having been so posted and remaining posted continuously for at least seventy-two (72) hours preceding the scheduled time of such meeting. The full text of the proposed charter amendments, with an estimate of anticipated fiscal impact, shall be included in such notice.

AND IT IS SO ORDERED.

**PASSED, APPROVED AND ADOPTED ON FIRST AND FINAL READING THIS
THE 4th DAY OF FEBRUARY 2020.**

Thomas G. Kolupski
Mayor

ATTEST:

Robin Lenio, TRMC
City Secretary

APPROVED AS TO FORM:

Steven L. Weathered
City Attorney